

## SCHEDULE 5

Regulation 40

### Modification of the Care Standards Act 2000 in respect of persons carrying on and managing adult placement schemes

#### **Modification of section 11 of the Act**

1. In section 11 (requirement to register)—
  - (a) in subsection (1)—
    - (i) after the word “description” on the first occasion where it occurs, insert “or an adult placement scheme”; and
    - (ii) after the word “description” on the second occasion where it occurs, insert “or as an adult placement scheme”;
  - (b) in subsection (2)—
    - (i) after the word “agency” on the first occasion where it occurs, insert “or adult placement scheme”; and
    - (ii) after the word “agency” on the second occasion where it occurs, insert “or adult placement scheme (as the case may be)”;
  - (c) in subsection (6)—
    - (i) in paragraph (a), after the word “agency” insert “or adult placement scheme”; and
    - (ii) for paragraph (b) substitute—
      - “(b) in the case of a conviction in relation to an establishment or agency, the conviction is a second or subsequent conviction of the offence and the earlier conviction, or one of the earlier convictions, was of an offence in relation to an establishment or agency of the same description; or
      - (c) in the case of a conviction in relation to an adult placement scheme, the conviction is a second or subsequent conviction of the offence.”.

#### **Modification of section 12 of the Act**

2. In section 12 (applications for registration)—
  - (a) in subsection (3), after the word “agency” insert “or of an adult placement scheme”; and
  - (b) in subsection (4), after the word “agency” insert “or adult placement scheme”.

#### **Modification of section 13 of the Act**

3. In section 13 (grant or refusal of registration)—
  - (a) in subsection (1), after the word “agency” insert “or adult placement scheme”; and
  - (b) in subsection (2), after the word “agency” insert “or adult placement scheme”.

#### **Modification of section 14 of the Act**

4. In section 14(1) (cancellation of registration)—
  - (a) in paragraph (b), after the word “agency” insert “or adult placement scheme”; and
  - (b) in paragraph (c), after the word “agency” insert “or adult placement scheme”

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**Modification of section 17 of the Act**

5. In section 17 (notice of proposals)—
- (a) in subsection (1), after the word “agency” insert “or adult placement scheme”; and
  - (b) in subsection (4), after the word “agency” insert “or adult placement scheme”.

**Modification of section 19**

6. In section 19(1) (notice of decisions), after the word “agency” insert “or adult placement scheme”.

**Modification of section 20**

7. In section 20 (urgent procedure for cancellation etc.)—
- (a) in subsection (1)(a)(i), after the word “agency” insert “or adult placement scheme”;
  - (b) in subsection (5), after the word “agency” insert “or adult placement scheme”; and
  - (c) in subsection (6)(a) and (b), after the word “agency” insert “or adult placement scheme”.

**Modification of section 21**

8. In section 21 (appeals to the tribunal), in subsection (5)(a) and (c), after the word “agency” insert “or adult placement scheme”.

**Modification of section 23**

9. In section 23 (national minimum standards), in subsection (1), after the word “agencies” insert “or adult placement schemes”.

**Modification of section 24**

10. In section 24 (failure to comply with conditions), after the word “agency” on both occasions where it occurs, insert “or adult placement scheme”.

**Modification of section 26 of the Act**

11. In section 26 (false descriptions of establishments and agencies)—
- (a) in subsection (1), after the word “description” in both places where it occurs, insert “or an adult placement scheme”; and
  - (b) in subsection (3), after the word “agency”, on both occasions where it occurs, insert “or adult placement scheme”.

**Modification of section 28 of the Act**

12. In section 28 (failure to display certificate of registration)—
- (a) in subsection (1)—
    - (i) after the word “agency” on the first occasion where it occurs, insert “or adult placement scheme”; and
    - (ii) after the word “agency” on the second occasion where it occurs, insert “or at any premises from which the adult placement scheme is carried on”; and
  - (b) in subsection (2), after the word “agency” insert “or adult placement scheme”.

### **Modification of section 31**

- 13.** In section 31 (inspections by persons authorised by registration authority)—
- (a) in subsection (1), after the word “agency” on both occasions where it occurs, insert “or adult placement scheme”;
  - (b) in subsection (2), after the word “agency” insert “or adult placement scheme”;
  - (c) in subsection (3)(c), after the word “agency” insert “or adult placement scheme”;
  - (d) in subsection (3)(e), after the word “there” insert “, or in the case of an adult placement scheme, any person provided with care or support under such a scheme,”; and
  - (e) in subsection (4)(a), after the word “agency” insert “or adult placement scheme”.

### **Modification of section 32**

- 14.** In section 32 (inspections: supplementary)—
- (a) in subsection (4), after the word “agency” on both occasions where it occurs, insert “or adult placement scheme”;
  - (b) in subsection (5), after the word “agency” on both occasions where it occurs, insert “or adult placement scheme”; and
  - (c) in subsection (8), after the word “agency” insert “or adult placement scheme”.

### **Modification of section 34**

- 15.** In section 34(3) (liquidators etc.)—
- (a) in the definition of “relevant company”, after the word “agency” insert “or adult placement scheme”; and
  - (b) in the definition of “relevant individual”, after the word “agency” insert “or adult placement scheme”.

### **Modification of section 35**

- 16.** In section 35(1)(a) (death of registered person), after the word “agency” insert “or adult placement scheme”.

### **Modification of section 37**

- 17.** In section 37 (service of documents)—
- (a) in subsection (1), after the word “agency” insert “or adult placement scheme”; and
  - (b) in subsection (2)—
    - (i) after the word “agency” on the first occasion where it occurs, insert “or adult placement scheme”; and
    - (ii) at the end, insert “or the premises from which the adult placement scheme is carried on”.